

#### REMARKS

In the outstanding official action, claims 2, 3 and 5 were objected to because of the noted informality in the preamble. In response, these claims have been amended to correct the noted informality as required, and it is respectfully submitted that the claims are now in proper form.

On the merits, independent claim 1 and claims 3-8 were rejected under 35 USC 102(b) as being anticipated by Medower et al, with claim 2 being rejected under 35 USC 103(a) as being unpatentable over Medower in view of Hirokane et al, all for the reasons of record.

In response, independent claim 1 is herewith amended to more particularly and precisely recite the instant invention in a manner which is clearly patentably distinguishable over the cited and applied art, and it is respectfully submitted that independent claim 1, as herewith amended, and the remaining claims depending therefrom, are now clearly patentably distinguishable over the cited and applied art for the reasons detailed below.

With regard to the specific teachings of Medower cited in the Action, it is expressly stated in the reference that the photoresist is deposited "to a thickness of between 20nm and 120nm." This is clearly a different thickness than disclosed and

claimed in the instant application, with claim 1 reciting that the photoresist layer shall have a thickness of less than 100nm, with claim 2 reciting a thickness larger than approximately 10nm. Thus, although there is some overlap, the range of thicknesses disclosed in the reference is clearly different from the range of thicknesses as disclosed and claimed in the instant application (see paragraph [0036] of the reference).

Furthermore, whereas claim 1 expressly requires that the substrate have a metallic surface, the reference teaches that the analogous surface may be of any suitable material, including a saline coupling agent.

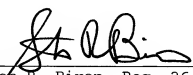
Finally, whereas the reference teaches that the disclosed thickness range has been selected to provide acceptable system performance in areas such as reflectivity, resolution and modulation depth (see paragraph [0036]) the instant disclosure, on the contrary, clearly discloses that the different thickness range as claimed is for the substantially different purpose of improving photoresist wall steepness. In order to more clearly and precisely distinguish the instant invention, this subject matter is now expressly recited in independent claim 1. As expressly noted on page 3 of the instant specification, in the paragraph beginning on line 6, applicants have found that, surprisingly, by using a metallic surface under a relatively thin photoresist layer of smaller than 100nm a high photoresist wall steepness is achieved.

Thus, the range of thicknesses recited in the currently-pending claims is not a mere matter of design choice, but rather is based upon a surprising and unexpected discovery (unappreciated in the cited reference) which confers important commercial advantages not recognized by the prior art.

Additionally, it is admitted in the Action, that Medower does not teach a drying step after the rinsing step, as recited in claim 1 of the instant application, and it is respectfully submitted that this constitutes an additional reason supporting allowability of claim 1 since the reference does not teach each and every step of the claimed invention as required for an anticipation rejection.

In view of the foregoing, it is respectfully submitted that independent claim 1, as herewith amended, and the remaining claims depending therefrom, are clearly patentably distinguishable over the cited and applied art. Accordingly, allowance of the instant application is respectfully submitted to be justified at the present time, and favorable consideration is earnestly solicited.

Respectfully submitted,

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